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SUBJECT: SINGAPORE ADDS TRAFFICKING IN PERSONS-RELATED
CRIMES TO SCHEDULE OF SERIOUS OFFENSES

REF: SINGAPORE 1578

¶1. Singapore's Ministry of Home Affairs has expanded its "Schedule of Serious Offenses," adding 108 new categories of offenses including several crimes under the Children and Young Persons Act (CYPA), the Women's Charter (WC), and the Immigration Act (IA) that are related to trafficking in persons. (Note: Other crimes related to trafficking under the Penal Code have been included on the list since its creation in September 1999.) The schedule already included child abuse and trafficking in women and children, but the amended version, which entered into force on May 8, now also includes:

- sexual exploitation of a child or young person (CYPA Section 7);
- unlawful transfer of custody of a child (CYPA Section 12);
- Importation of a child by false pretenses (CYPA Section 13);
- Living on the earnings of a prostitute (WC Section 146);
- Keeping or managing a place of assignation for prostitution (WC Section 147);
- Keeping or managing a brothel (WC Section 148);
- Abetting unlawful entry or departure (IA Section 57.1.aa & 57.1.b); and
- Engaging in the business of conveying prohibiting migrants, which includes prostitutes (IA Section 57.1.c).

¶2. Sections 146, 147, and 148 of the Women's Charter are among the most common charges brought against "third-parties" caught encouraging or abetting another person's prostitution, and are often used against suspected or alleged traffickers when a legal case of trafficking can not be made. The inclusion of the Immigration Act offenses appears to support Singapore's recently stepped-up efforts to identify women who are entering -- or being brought -- into Singapore to engage in prostitution.

¶3. The Schedule of Serious Offenses has two functions. First, it serves as a list of predicate offenses for Singapore's Corruption, Drug Trafficking, and Other Serious Crimes (Confiscation of Benefits) Act of 1999 (CDSA). The CDSA criminalizes the laundering of proceeds from the 292 categories of crimes listed in the Schedule of Serious Offenses, and allows the government to seize all proceeds from these crimes, regardless of whether or not the crime itself was committed in Singapore. The schedule also identifies the offenses that Singapore authorities may investigate in cooperation with law enforcement officials from other countries under Singapore's Mutual Assistance in Legal Matters Act, which significantly restricts Singapore officials' ability to share law enforcement information regarding crimes not listed in the schedule.

¶4. Comment: Singapore's expansion of the serious crimes list to include several key trafficking-related crimes is a step forward in Singapore's efforts to combat trafficking in persons. The move increase the penalties for these crimes by allowing the government to seize profits and prosecute money-laundering related to these crimes whether the criminal activity occurred inside Singapore or abroad. In addition, the new schedule opens the door to closer law-enforcement cooperation with its neighbors in investigating and prosecuting these trafficking related crimes.

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